

FILED

SEP - 6 2005

**RICHARD W. WIERING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

1 **BARRY J. PORTMAN**
Federal Public Defender
2 **JOSH COHEN**
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5 Counsel for Defendant DAVIS
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7

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10

11	UNITED STATES OF AMERICA,)	No. CR-05-0065 MHP
)	
12	Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO CONTINUE SENTENCING
13	v.)	
)	
14	RAYNARD DAVIS,)	
)	
15	Defendant.)	
)	

16
17 Having entered a guilty plea to unlawful possession of a firearm in violation of 18 U.S.C.
18 § 922(g)(1), defendant Raynard Davis is scheduled to be sentenced by this Court on September
19 12, 2005.

20 Defense counsel will be in trial on September 12, 2005. Moreover, government counsel
21 would like additional time to prepare an appropriate sentencing recommendation.

22 Mr. Davis is out of custody, gainfully employed, and compliant with the conditions of his
23 pretrial release.


24 Accordingly, the parties agree and stipulate that the sentencing shall be continued to
25 October 17, 2005 at 9:00 AM. Probation Officer Kenneth Gibson has been informed of the

26 ///


1 requested continuance and is available on October 17.

2 IT IS SO STIPULATED.

3 Dated: 9/6/05


BARRY J. PORTMAN
Federal Public Defender
JOSH COHEN
Assistant Federal Public Defender

6 Dated: 9/6/05


KEVIN V. RYAN
United States Attorney
THOMAS MAZZUCCO
Assistant United States Attorney

10 Accordingly, and for good cause shown, the sentencing hearing scheduled for September
11 12, 2005 is hereby continued until October 17, 2005 at 9:00 AM.

12 IT IS SO ORDERED.

13 Dated: 9/6/05


MARILYN HALL PATEL
UNITED STATES DISTRICT JUDGE